

Article - Estates and Trusts

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§15–103.

(a) Whenever securities are deposited or exchanged, or tendered for deposit or exchanged by a fiduciary under a reorganization agreement or plan of reorganization, a committee formulating, proposing, or carrying out a plan or soliciting deposits or exchanges under an agreement or plan, any depositary with or through which the deposit or exchange of securities may be made, solicited, requested or permitted, and a person to whom or to which securities are to be delivered pursuant to an agreement or a plan, may accept, receive, hold and ultimately dispose of the securities in accordance with the authorization or instructions of the fiduciary depositing or exchanging securities or tendering them for deposit or exchange under a reorganization agreement or plan of reorganization, without an obligation to inquire whether a fiduciary is authorized to make a deposit or exchange or is committing a breach of the obligation as fiduciary in so doing.

(b) No committee, depositary, or ultimate recipient is liable in any way of any kind to a person for an action taken, suffered, or permitted with respect to securities in accordance with the authorization or instructions given by a fiduciary depositing or exchanging the securities or tendering the securities for deposit or exchange, unless the committee, depositary, or ultimate recipient has actual knowledge that a fiduciary is committing a breach of fiduciary trust in making the deposit or exchange, or has knowledge of facts that the action or conduct of the committee, depositary, or ultimate recipient amounts to bad faith.

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